

By: Senator(s) Burton

To: Education;  
Appropriations

SENATE BILL NO. 2401

1 AN ACT TO CREATE THE MISSISSIPPI UPSTART PROJECT TO SERVE AS  
2 A HOME-BASED EDUCATIONAL TECHNOLOGY PROGRAM TO DEVELOP SCHOOL  
3 READINESS SKILLS OF PRESCHOOL CHILDREN; TO AUTHORIZE THE STATE  
4 BOARD OF EDUCATION TO CONTRACT WITH A NOT-FOR-PROFIT ORGANIZATION  
5 FOR PURPOSES OF PROVIDING DELIVERY OF THE PROGRAM FOR PRESCHOOL  
6 CHILDREN; TO PRESCRIBE THE RESPONSIBILITIES AND DUTIES OF THE  
7 PROVIDER FOR THE ADMINISTRATION OF THE PROGRAM; TO REQUIRE THAT  
8 THE CONTRACT PROVIDE FOR ONE YEAR OF FUNDING FOR THE PROGRAM WITH  
9 AN OPTION TO EXTEND THE CONTRACT FOR ADDITIONAL YEARS OR EXPAND  
10 THE PROGRAM TO A GREATER NUMBER OF PRESCHOOL CHILDREN; TO  
11 AUTHORIZE A LOCAL SCHOOL TO PARTICIPATE IN MISSISSIPPI UPSTART IF  
12 THE LOCAL SCHOOL BOARD AGREES TO WORK IN COOPERATION WITH THE  
13 CONTRACTOR; TO AUTHORIZE FAMILY PARTICIPATION IN THE PROGRAM AND  
14 TO PRESCRIBE THE MANNER OF SOLICITING FAMILY PARTICIPATION; TO  
15 AUTHORIZE THE STATE BOARD OF EDUCATION OR PARTICIPATING LOCAL  
16 SCHOOL DISTRICT TO PURCHASE CERTAIN EQUIPMENT AND SERVICES TO BE  
17 USED IN THE PROGRAM; TO REQUIRE AN ANNUAL AUDIT OF THE USE OF  
18 FUNDS USED FOR MISSISSIPPI UPSTART; TO REQUIRE THAT THE AUDIT  
19 REQUIREMENT BE INCLUDED IN THE CONTRACT; TO REQUIRE THE STATE  
20 BOARD OF EDUCATION TO MAKE AN ANNUAL LEGISLATIVE REPORT BY  
21 NOVEMBER 30 EACH YEAR; TO PROVIDE THAT NO STATE GENERAL FUNDS MAY  
22 BE USED TO CARRY OUT THE PROVISIONS OF THIS ACT; AND FOR RELATED  
23 PURPOSES.

24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

25 **SECTION 1.** For purposes of this act, the following terms  
26 shall have the meanings ascribed in the section, unless the  
27 context otherwise requires:



28 (a) "Contractor" means a not-for-profit, source  
29 provider of educational technology services selected by the State  
30 Board of Education as determined by the Legislature under Section  
31 2.

32 (b) "Low income" means an income below two hundred  
33 percent (200%) of the federal poverty guideline.

34 (c) "Preschool children" means children who are between  
35 age four (4) and five (5) years of age, who have not entered  
36 kindergarten.

37 (d) "Mississippi UPSTART" means the project established  
38 by Section 2 of this act which uses a home-based educational  
39 technology program to develop school readiness skills of preschool  
40 children.

41 **SECTION 2.** (1) Mississippi UPSTART, which uses a home-based  
42 educational technology program to develop school readiness skills  
43 of preschool children, is created to:

44 (a) Evaluate the effectiveness of providing preschool  
45 children with at-home access to interactive individualized  
46 instruction delivered by computers and the Internet to prepare  
47 them academically for success in school; and

48 (b) Test the feasibility of scaling a home-based  
49 curriculum in reading, math, and science delivered by computers  
50 and the Internet to all preschool children in the State of  
51 Mississippi.



52           (2) The State Board of Education, acting on behalf of the  
53 Mississippi Virtual Public School Program, may contract with a  
54 not-for-profit organization for the delivery of a home-based  
55 educational technology program for preschool children that meets  
56 the requirements of subsection (3) of this section.

57           (3) A home-based educational technology program for  
58 preschool children shall meet the following standards:

59                   (a) The contractor shall provide computer-assisted  
60 instruction for preschool children on a home computer connected by  
61 the Internet to a centralized file storage facility;

62                   (b) The contractor shall:

63                           (i) Provide technical support to families for the  
64 installation and operation of the instructional software; and

65                           (ii) Provide for the installation of computer and  
66 Internet access in homes of low-income families that cannot afford  
67 the equipment and service;

68                   (c) The contractor shall have the capability of  
69 performing the following functions through the Internet:

70                           (i) Communicating with parents;

71                           (ii) Updating the instructional software;

72                           (iii) Validating user access;

73                           (iv) Collecting usage data;

74                           (v) Storing research data; and

75                           (vi) Producing reports for parents, schools and  
76 the Legislature;



77 (d) The program shall include the following components:

78 (i) Computer-assisted, individualized instruction  
79 in reading, mathematics, and science;

80 (ii) A multisensory reading tutoring program; and

81 (iii) A validated computer adaptive reading test  
82 that does not require the presence of trained adults to administer  
83 and is an accurate indicator of reading readiness of children who  
84 cannot read;

85 (e) The contractor shall have the capability to quickly  
86 and efficiently modify, improve and support the product;

87 (f) The contractor shall work in cooperation with  
88 school district personnel who will provide administrative and  
89 technical support of the program as provided in Section 3 of this  
90 act;

91 (g) The contractor must solicit families to participate  
92 in the program as provided in Section 4 of this act; and

93 (h) In implementing the home-based educational  
94 technology program, the contractor shall seek the advice and  
95 expertise of early childhood education professionals within  
96 Mississippi's institutions of higher learning on issues such as:

97 (i) Soliciting families to participate in the  
98 program;

99 (ii) Providing training to families; and

100 (iii) Motivating families to regularly use the  
101 instructional software.



102 (4) The contractor shall provide funding for a home-based  
103 educational technology program for preschool children for one (1)  
104 year with an option to extend the contract for additional years or  
105 to expand the program to a greater number of preschool children,  
106 subject to availability of funding from any public or private  
107 sources.

108 (5) Nothing in this section shall be construed as limiting  
109 or prohibiting the State Board of Education or local school boards  
110 from entering into agreements with any not-for-profit provider to  
111 provide home-based educational technology; provided, however, that  
112 any provider of such services must meet the standards established  
113 in Section 2(3) of this act.

114 **SECTION 3.** (1) A school district may participate in  
115 Mississippi UPSTART or any program similar in design as  
116 Mississippi UPSTART, if the local school board agrees to work in  
117 cooperation with the contractor to provide administrative and  
118 technical support for the project.

119 (2) Family participants in Mississippi UPSTART shall be  
120 solicited from school districts that participate in Mississippi  
121 UPSTART.

122 (3) A school district that participates in Mississippi  
123 UPSTART or programs similar in design shall:

124 (a) Receive funding for paraprofessional and technical  
125 support staff, travel, materials and meeting costs of the program;



126 (b) Participate in program training by the contractor;  
127 and

128 (c) Agree to adopt standardized policies and procedures  
129 in implementing the project.

130 **SECTION 4.** (1) The contractor must solicit families to  
131 participate in Mississippi UPSTART through a public information  
132 campaign and referrals from participating school districts.

133 (2) (a) Preschool children who participate in Mississippi  
134 UPSTART must:

135 (i) Be selected from families with diverse  
136 socioeconomic and ethnic backgrounds; and

137 (ii) Reside in different regions of the state, in  
138 both urban and rural areas.

139 (b) A minimum of at least thirty percent (30%) of the  
140 preschool children selected to participate in Mississippi UPSTART  
141 must be from low-income families.

142 (3) A low-income family that cannot afford a computer and  
143 Internet service to operate the instructional software designed  
144 for the project may obtain a computer and peripheral equipment on  
145 loan from the Mississippi Virtual Public School Program or local  
146 school district, if a participant, and receive free Internet  
147 service for the duration of the family's participation in the  
148 project.

149 (4) The contractor shall make the home-based educational  
150 technology program available to families at an agreed-upon cost,



151 which shall be stipulated in the contract agreement with the State  
152 Board of Education or participating local school district before  
153 the program is implemented, if the number of families desiring to  
154 participate in Mississippi UPSTART exceeds the number of  
155 participants funded by any public or private funding source;  
156 provided, however, that no state funds will be appropriated by the  
157 Legislature.

158       **SECTION 5.** The Mississippi Virtual Public School Program or  
159 a participating local school district may purchase computers,  
160 peripheral equipment and Internet service for low income families  
161 who cannot afford them through cooperative purchasing contracts  
162 administered by the State Department of Finance and Administration  
163 Office of Purchasing, Travel and Fleet Management under the  
164 authority of Chapter 7, Title 31, Mississippi Code of 1972.

165       **SECTION 6.** (1) The State Auditor shall conduct an annual  
166 audit of the contractor's use of funds for Mississippi UPSTART, or  
167 contract with an independent certified public accountant to  
168 conduct an annual audit.

169       (2) The State Board of Education shall require by contract  
170 that the contractor must open its books and records relating to  
171 its expenditure of funds under the contract to the State Auditor  
172 or the State Auditor's designee. The contract shall also require  
173 the contractor to reimburse the State Auditor for the actual and  
174 necessary costs of the audit.



175 (3) No state general funds shall be used to establish or  
176 implement any provision of the Mississippi UPSTART program  
177 established under this act.

178 **SECTION 7.** (1) Beginning with the year 2013, the State  
179 Board of Education shall make a report on Mississippi UPSTART to  
180 the House of Representatives and State Senate Education Committees  
181 by November 30 each year.

182 (2) The report shall address the extent to which Mississippi  
183 UPSTART is accomplishing the purposes for which it was established  
184 as specified in Section 1 of this act, and include the following:

185 (a) Information on the number of families:

- 186 (i) Volunteering to participate in the program;  
187 (ii) Selected to participate in the program;  
188 (iii) Requesting computers; and  
189 (iv) Furnished with computers;

190 (b) Information on the frequency of use of the  
191 instructional software;

192 (c) Information on the obstacles encountered with  
193 software usage, hardware, or providing technical assistance to  
194 families;

195 (d) Information on student performance on  
196 pre-kindergarten and post-kindergarten assessments conducted by  
197 school districts for students who participated in the home-based  
198 educational technology program and those who did not participate  
199 in the program; and





200 (e) Information, as made available, on the evaluation  
201 of the program conducted under Section 2 of this act.

202 **SECTION 8.** No State General Funds may be expended to carry  
203 out the provisions of this act.

204 **SECTION 9.** This act shall take effect and be in force from  
205 and after July 1, 2013.

